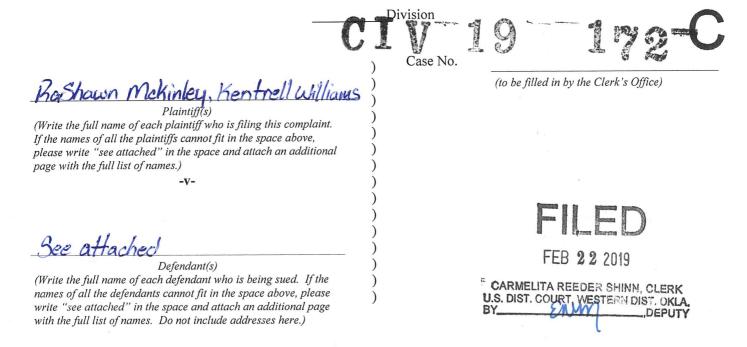
## United States District Court

for the

Western District of Ohlahoma



#### COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Prisoner Complaint)

#### NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

#### I. The Parties to This Complaint

## A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name
All other names by which
you have been known:

ID Number

Current Institution
Address

Current Institution

Address

Current Institution

Address

## B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (*if known*) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1		
Name	Core Civic	
Job or Title (if known)		arron Correctional Facility (CCF)
Shield Number		
Employer	Core Civic	
Address	10 Burton Hills	Blud.
	Nashville	TN 37215
	City	State Zip Code
	Individual capacity	Official capacity
Defendant No. 2		
Name	Damon Hining	26
Job or Title (if known)	CEO	
Shield Number		
Employer	Core Civic	
Address	10 Burton Hills	Blvd.
	Nashville City	710 37215 State Zip Code
	Individual capacity	Official capacity

Pro Se 14	4 (Rev. 12/1	6) Complaint for Violation of Civil Rights (Pr	risoner)
		Defendant No. 3  Name  Job or Title (if known)  Shield Number  Employer  Address	CT E. Hebert  Cieutenant  22701035  Core Civic, CCF  3200 S. Kings Hwy.  Cushing OK 74023  Zip Code  X Individual capacity  Official capacity
		Defendant No. 4  Name Job or Title (if known) Shield Number Employer Address	Core Civic, CCF  3200 S. Kings Hwy  Cushing OK 74023  City State Zip Code  Mindividual capacity  Official capacity
II.	Posis :	for Jurisdiction	
11.	Under immur Federa	42 U.S.C. § 1983, you may sue so nities secured by the Constitution all Bureau of Narcotics, 403 U.S. Stational rights.  Are you bringing suit against (constitution)	
		Federal officials (a <i>Bivens</i>	claim)
		State or local officials (a §	1983 claim)
	В.	the Constitution and [federal law	ging the "deprivation of any rights, privileges, or immunities secured by ws]." 42 U.S.C. § 1983. If you are suing under section 1983, what ry right(s) do you claim is/are being violated by state or local officials?
		Amendment I,1	Amendment I, Amendment VIII, Amendment
	C.	Plaintiffs suing under <i>Bivens</i> ma	ay only recover for the violation of certain constitutional rights. If you

are suing under Bivens, what constitutional right(s) do you claim is/are being violated by federal

officials?

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Pro Se 1	4 (Rev. 12/	16) Complaint for Violation of Civil Rights (Prisoner)
	D.	Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under <i>Bivens</i> , explain how each defendant acted under color of federal law. Attach additional pages if needed.  See Cattach Pages.
III.	Prisor	ner Status
	Indica	te whether you are a prisoner or other confined person as follows (check all that apply):  Pretrial detainee
		Civilly committed detainee
		Immigration detainee
	X	Convicted and sentenced state prisoner
		Convicted and sentenced federal prisoner
		Other (explain)
IV.	Statem	nent of Claim
	alleged further any cas	s briefly as possible the facts of your case. Describe how each defendant was personally involved in the wrongful action, along with the dates and locations of all relevant events. You may wish to include details such as the names of other persons involved in the events giving rise to your claims. Do not cite ses or statutes. If more than one claim is asserted, number each claim and write a short and plain ent of each claim in a separate paragraph. Attach additional pages if needed.
	A.	If the events giving rise to your claim arose outside an institution, describe where and when they arose.
	В.	If the events giving rise to your claim arose in an institution, describe where and when they arose.
		Cimarron Correctional Facility December 6,2018

C.	What date and approximate time did the events giving rise to your claim(s) occur?
	Friday Dec 7,2012 approx 1845 through Jan 21,2019, wensday Dec 19,2018 approx 1000 through Jan 24,2019, Friday Dec 18,2018 approx 1000 through Jan 24,2019, Friday Dec 7,2018 approx 1845 through Dec 24,2011

D. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

Everything is cnow camera and documented. See attached

#### V. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive. Having Consten Chest pains, Hearing Voices; non stop flim from nose, numb tumbs from hand cuffs, Panic attacks Seeing Hungs, trouble breathing chest pains over heated, bacterica in stomach, humps on legs: Suicide atempt, Eleping disorder, and over duse imigrains, ursors in mobth from talet water EKG:s, tooptates sent to hospital for suicide atempt, vitals cheaked when was knosed, washied till passed out, no mental Health help, have been giving blood pressure meds, my meds for my tilego anxity and depression after I asked for my meds. Pain meds for chest need to see species.

### VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.



#### VII. Exhaustion of Administrative Remedies Administrative Procedures

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

A.	Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?
	Yes
	□ No
	If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).
	Cimarron Correctional Facility (CCF)
В.	Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?
	Yes
	□ No
	Do not know
C.	Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?
	X Yes
	□ No
	Do not know
	If yes, which claim(s)?
	Staff, Conditions of confined, Mental health, Medical, Food, Lundry

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Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

D.		I you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose iterning the facts relating to this complaint?
	X	Yes
		No
		o, did you file a grievance about the events described in this complaint at any other jail, prison, or er correctional facility?
		Yes
	×	No
Е.	If y	ou did file a grievance:
	1.	Where did you file the grievance?
	2.	Cimarron Correctional Facility Cushing OK  What did you claim in your grievance? That I felt like it hebert was singling me out and going bout his way to make my time hard at this facility. That we was denied our which tray that we had to brink out of toilet cause our sink was not putting out cold, we also file RTS that never got awnser or copy so we could file more grievance.
	3.	What was the result, if any? nothing was some told we was out of time and couldn't file no more or fix our grievance.
	4.	What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. (Describe all efforts to appeal to the highest level of the grievance process.) We send a hand wratten letter to the ARA trying to tell whats appeal on the grievances about heing RT3 that came up missing we:

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Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

	F.	If you did not file a grievance:
		1. If there are any reasons why you did not file a grievance, state them here:
		2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:
	G.	Please set forth any additional information that is relevant to the exhaustion of your administrative remedies. They sent me back my grievance back the same day with no way to fix neither one of them or the chance to wrote the ARA and fill out a appell bout the issues They never wrote back we had RTS come up missing we have to captins ict, worneds Awa staff everything.
		(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)
VIII.	Previo	us Lawsuits
	the filir brough malicio	tree strikes rule" bars a prisoner from bringing a civil action or an appeal in federal court without paying a fee if that prisoner has "on three or more prior occasions, while incarcerated or detained in any facility, an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent of serious physical injury." 28 U.S.C. § 1915(g).
	To the	best of your knowledge, have you had a case dismissed based on this "three strikes rule"?
	Ye	es es
	No.	
	If yes,	state which court dismissed your case, when this occurred, and attach a copy of the order if possible.

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Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

	ave you filed other lawsuits in state or federal court dealing tion?	g with the same facts involved in this
	Yes	
2	No	
	your answer to A is yes, describe each lawsuit by answerir ore than one lawsuit, describe the additional lawsuits on an	
1.	Parties to the previous lawsuit	
	Plaintiff(s)	
	Defendant(s)	
2.	Court (if federal court, name the district; if state court, r	name the county and State)
3.	Docket or index number	
4.	Name of Judge assigned to your case	
5.	Approximate date of filing lawsuit	· /
6.	Is the case still pending?	
	Yes	
	▼ No	
	7	
	If no, give the approximate date of disposition.	
7.	What was the result of the case? (For example: Was the in your favor? Was the case appealed?)	e case dismissed? Was judgment entered

## 

Pro Se 14 (Rev. 12/1	6) Con	nplaint for Violation of Civil Rights (Prisoner)	
		Yes	
	X	No	
D.		our answer to C is yes, describe each lawsuit by answering re than one lawsuit, describe the additional lawsuits on and	
	1.	Parties to the previous lawsuit Plaintiff(s)  Defendant(s)	
	2.	Court (if federal court, name the district; if state court, na	me the county and State)
	3.	Docket or index number	
	4.	Name of Judge assigned to your case	
	5.	Approximate date of filing lawsuit	
	6.	Is the case still pending?  Yes	
		No  If no, give the approximate date of disposition	
	7.	What was the result of the case? (For example: Was the in your favor? Was the case appealed?)	case dismissed? Was judgment entered

## IX. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

## A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case—related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

	Date of signing:			
	Signature of Plaintiff Printed Name of Plaintiff Prison Identification # Prison Address	Rashawn McKinley, Ken 146024, Co 3200 S. Kings Hurg Cushing	Hollweigh 289810 OK State	
В.	For Attorneys			
	Date of signing:			
	Signature of Attorney Printed Name of Attorney		- 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1	
	Bar Number			
	Name of Law Firm Address			
		City	State	Zip Code
	Telephone Number		2	
	E-mail Address			

I. The parties to this complaint 13. The Defendant(s) Defendant No 1 Nome Core Civic sob owner of Cimarron Correctional Facility (CCF) Shield number Employer Core Civic Adoress 10 Burton Hills Blvd. Nashwille TN 37215 official capacity, Individual capacity Defendant No 2 Name Damon Hininger Job or Title CEO shield number Employer Core Civic Amanda Manda Manda Adoress 10 Burton Hills Blud Nashville, TN 37215 official copacity Defendant No 3 Name LT Hebert Jolo or Title Cienterant Shield number 22701035 Employer Core Civic, CCF Address 3200 s. Kings Huy Cushing, OK 74023 Individual capacity Dalandant No 7

1

Defendant No4 I Tipe Outher to this Name CT Hall 15. The Dockendant S Job/Title Lieutenount Shield number Employer Core Civic, CCF Address 3200 S. Kings Hwy. Cushing, OK 74023 Individual capacity and Official Capacity Defendant No 5 Name SGT Plural Job/Title STG Shield number Employer Core Civic, CCF Address 3200 s. Kings Hwy. Cushing, Ok 74023 Individual capacity and official capacity Defendant No 6 Novne Mrs: Bearing Jub/Title Mys doctor Shield number Employer core cinic, CCF, medical Address 3200 skings Hwy Cushing, OK 74023 Individual capacity and official capacity Defendant No 7 Name Core civic medical -Job/Title medical steff Shield number Employer Core Civic, CCF Address 3200 s. Kings Hwy.
Cushing, OK 14023

Individual capacity and official capacity

Defendant No. 8 Name c/c cight Job/Title Case Contalor Shield number Employer core civic, ccf Address 3200 S. Kings Hwy. 3200 Cushing OK 14025 Individual capacity and official capacity Defendant No.9 name co cec Job/Title CO Shield number Employer Core civic, ECF Address 3200 S. Kings Hwy Cushing, OK 74023 Individual capacity and official capacity Defendant No.10 Name SGT Vansteenbergh Job/Title SGT Shield number Employer Core Civic, CCF Address 3200 s. Kings Hwy. Cushing, OK 74023 Individual capacity official capacity Defendant No. 11 Name C.O. Beard Job Title C.O Shield number Employer core civic, CCF Address 3200 s. Kings Hwy.

3

Official capacity Individual supporty

Defendant No. 8 Defendant No. 12 Name Raymond Byrd Name Clc Cight Job/Title Warden Shield number Employer Core Civic ICCF Address 3200 S. Kings Hwy Address 3200 S. Kings than as cushing, 01 74023 Individual corpocity and official capacity Pour triobrated hame COLLEC Employer Lose Lines BCF Cospinsy, Ok 74023 individual capacity and official capacity Defendant No 10 SOUTHE BEST Employer Core Come COTE Haytness 3200 5 Kings Havy Cushna LK THOZ3 Inquired capacity official expecity Detendant No.11 Warne Co Beard SOUTHE CO EMPLOYER COLD CIVIL PLET

4

## II. Basis for Dunisdiction

- D.
- 1 Core civic is the employer of all staff at Cionarron Correctional Facility (CCF) where I'm housed.
- 2 Mr Damon Hininger Core Civic C.E.O who employed everyone and sign checks.
- 3 LT Hebert was training walking around thew the hallways listen to immates, Learning his job, writting miscanducts, and doing rounds checking doors.
- 4 LT Hall was assistant shift supervisor. Was Informing everyone under her authority what to do on echo units
- 5 STG/SGT Plural was strasking questions about sty stausts
- 6 Mrs Beaming Doing rounds and asking mental health questions
- 7 Core Civic medical Staff checking vitals and making sure inmate was ok.
- 8 C/C Light doing rounds and what was told of him by LT Hall UM Battles
- 9 Co Lee doing rounds checking cells for inmotes and fires.
- 10 SGT vansteenbergh responding to a respones from CT Hall
- 11 warden Raymond Byrd Singed of one everything telling every one there Job duties, singing of on papers.
- 12 Co Beard Responses team taking people to seq.

ogl Hoams bernne	write ups door and write up paper work.
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if at Consumon Conven	according the complemen as all stone
	Facility (CCF) ushere I'm housed
Sho employed everyone	2 Mr Danson Highery Core Civil C.E.O. L
	and Sign divides
and trinew the includings	3 LT Helset was training enclosed arow
어느 그 사람들은 아이들 아이들 아이들이 얼마나 되었다면 하는데 그는데 아이들이 얼마나 되었다면 하는데 아이들이 얼마나 되었다면 살아내는데 아이들이 얼마나 되었다면 살아내는데 얼마나	Instein township teaming his John with
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M. Lewis A.	
185 FRSM CT PLAN	o sat constitution of proporting to a respect
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	one there got better singing of on paper

# IV. Statement of Claim

Friday, Dec. 7,2018 1730-I was in the medical pill line getting my pills and talking to anther immate about a movie that was showing and I was telling him that a man dress as a woman we started to get a little low when CT Hebert and CT Hassell was walking in the rotunds. CT Hassell Kept walking but LT Hebert started pacing back and fourth in front of cental controll. We continued to talk and get lowder then I said that's a man in a low tone on CT Hebert rushed over to the medical slider and asked me what did I say. I said that's a man'! I didn't get to say to much before CT Hassell Came running back and heard us arquing and CT Hebert asked him to pull me from behind the slider. We had our words and I was tooken to segregation because of what I said and talking to anther inmate about and wrote up for a class x-2s (Sexual Harrassment) for me using my first amendment right.

Friday, Dec 7,2018 1845. I had refused to strip for a strip second because I was called a nigger by c/o Beard while I was still in the shower I belived he was discrimination against by telling me to get naked so I refused he called sort and they moved me and striped me and put me in a hot cell were I couldn't breathe and started having chest pains. I started trying to yell at the C/o cee to help when the nurses showed up and started trying after that and pushed my arm in the bean hote and watched me pass out, when I woke up I was numb and chest was still hurting and it was still hot and hard for me to breathe I stayed there on the floor asking for help and a nurse. I belive this was cruel and unusual punishment.

Friday Dec 7,2018 1845 through Jon 21,20191600-They stopped giving my cellmate his presch meds for weeks at a time and

telling him that the Soctor had stopped them. Which put both of us in hostile environments and increased the inmate on inmate violence inwhen we both have been refused are meds and no sleep and without this violated our fifth amendment right putting our life and laumbs in yeopardy. He kept telling everyone he's not in his right state of mind.

wereday. Dec 19,2018 1000-My cellmate was taken from our cell in Eis and took to a segregation meeting where they told him he was being put in ISU (Phase Program) an the way to ED CT Hall was walking him to ED 113 while in handcutts and he pulled away from her and she called a response and soft vonsteenbrug was walking in Echo rotunds and put his fingers inside the hand cutts to where my cellmate had pain in his hand and arms and walked to ED the unit manger Battles came and got me from EB and took me to ED telling me I wasn't going in the ISU (Phase Program) he just needed the bed space for EB. when we got put into ED 113 at 1400 they was severing lunch and skipped us we asked why c/o worman said she was told by C/c light to not feed us we waited from breafast at 0530 untill dinner at 1800. C/c Light told us we was on bean hole restriction for Jerking away from hall and she said put them on it we feel like this was also carel and unusual punishment.

Monday Dec 10,2018 1200 through Jan 24,2019 1600-I told the Pysch Doctor Beaming that I was having issues with my lover bi-polar disorder, depresson, anaxity and becoming paramoid of the staff and people here are against me I asked her to fix my meds but she didn't. I then told her am having issues sleeping that I was only getting 2 to 3 hours of sleep from Dec 7,2018 till Dan 18,2019 and I wasn't going to sleep at all after that I tried to tell her I wasn't my right mind and am hearing voices she just kept walking passed our cell when I called her

and the walking past Jan 24,2019 1600 from lack ofsteep and the waices in my head told me to commit suicide. I belived this could have set me and Doctor appointment to put me back on my meds. I feel like this violated my fifth amendment right by putting my life and limbs in jeopordy because I was informing her of the aps, as well I kept telling I wasn't in my right state of mind and any tried and hearing voices and seeing things. I currently still hearing things because of it.

Friday Dec 7,2018 1845 through Dec 24,2018 0900 I was in the same clothes with no londry bay to wash them. I asked every co,cc,sqt, and CT to help. I was told everytime someone will get me some clothes and landry bay when the room is opened sigt king an SQT sneed and every C.C. 1st and 2nd shift. They informed me they couldn't bring me non. I told them that bumps are starting to show up on my leas. Also I began to Ichicand hurt. I thied everything they told me if I wasn't bressed at anytime they would revive a write up I belive this was and cruel and unusual punishment on cca and core civic part by not giving staff the Keys or rights to get inmates clothing when really needed and my conditions of confined acid wasn't met on there part &s to this.

Monday Jan 1,2019 through Jan 10,2019 our hot water was pressed and it came on and stayed on after about 3 hours we was beliving it would cut off it didn't we informed the CO about the snik. After Beaus we told soft king to turn off the boiling hat water and we having to drink cold water from the toilet to which CO grey was withtness to us doing this because the heat was on with no way to cold clown the water in the window no more due to the heat we asked for everyone to put in regrest to fix this issues this didn't happen untill we started having

issues with drinking the tallet water an putting in sick calls but it was to late I belie this was a violated my conditions of confinement and core civic is also repsondable for this as well.

Monday Dec 10,2018 0945 soft Adams was DHO severing write and Course to may door to tell me about and have me sign may write up I told her the Ms. Adams I have withnesses and she said on but didn't ask me name or put it on the paper I told her this about two weeks better later I asked her why didn't she check the box of me telling her I have withness and she said you didn't write no names down and have them ready. Then I asked DHO frankin what I need to do to tell her I have withness she said nothing and wrote them down on my new write up I got on Jan 25 2019 for trying to kill myself. I belived Violated my II amendment and my due process.

As your form when the come you to 2013 In not water and one of the come of the

compass i mare when wally welled our more marchine

uses to mot as there said botos

VI. Relief Core Civic 250,000 actual damages for chest pains, invocus non Stop, trouble breathing from the hot cells, suicide atempt, bacterica in Stomach, bumps on legs, migrains, wisus in mouth from toilet water and staff and to pay furture medical bills \$50,000 from Damon Hininger from hiring the staff to run (CCF) Cimarron correctional Facility Knowly what going on day to day actual damages and ponitive damages for medical staff. core civic medical staff \$250,000 for lock of help in time of need pushing my arm in boun hole and not doing they job, untching me suffer with my trouble beenthing, and panic attack and chest pains actualdamnes and punitive damages \$10,000 CT Hebert punitive damages for violating my amendment and emoitional stress \$10,000 CT Hall punitive damages for stopping of food and violating my amendment rights and emoitional stress \$10,000 c/c light for actual damages not giving of clothes or landry bag causing the bumps on legs and knowing about the boiling hot water and drinking out of toilet and violating our amendment and emoitional stress \$19000 SGT vansteenbergh for excessive use of force and numbress of tingers and thumb actual damagaes \$ 25,000 mrs Bearing for suicide atempt, voices in my head, seeing Hungs emoitional Samagers and stress punitive damages for knowing what was happiening. \$20,000 cs Beard for calling me the niword and out my name punitive damages and actual damages \$50,000 warned Raymon Bryd for Kinsu what going on and not checking on operation at this facility, and also stopping or trying to stop our grievance process and empitional stress \$5,000 SGT Adams for not giving due process, empitional stress one violating my amendment rights and a refund of everything that has been charged to our trust fund account through medical.